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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/583,626	05/31/2000	Zubair Mirza	602927.090085	4023

38137 7590 04/12/2006
ABELMAN, FRAYNE & SCHWAB
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NEW YORK, NY 10017

EXAMINER

SPISICH, MARK

ART UNIT PAPER NUMBER

1744

DATE MAILED: 04/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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09/583626

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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03302006

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

SEE ATTACHED LETTER.

Mark Spisich
Primary Examiner
Art Unit: 1744

Response to Amendment

Receipt is acknowledged of an amendment filed 15 June 2005 (which was accompanied by a petition) which was in response to a prior non-compliant letter (mailed 14 January 2005). This particular amendment is also non-compliant with 37 C.F.R 1.121(c) for the following reason(s):

(1) the practice of including both a clean copy as well as a "marked-up copy" of the claimed ended well before even 30 December 2004. The complete list of the claims must be provided including **markings to indicate the changes made relative to the immediate prior version of the claims;**

(2) deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters (eg, the markings made to claim 7 use parentheses to delete "1" and not brackets;

(3) why does claim 12 include the recitation "according to claim 9 11"? (A prior amendment had deleted the "9" and replaced it with "11");

(4) applicant elected to prosecute the species of Figures 11, 11A and 11B with, for example, the prior dependent claims with the bi-stable spring having been withdrawn as drawn to a non-elected embodiment. **If claims are added after the election, applicant must indicate which are readable upon the elected species.** MPEP 809.02(a). In the most recent amendment, applicant has added claims 31-40. At least some of these claims (eg, claims 35-37 and 40) **are clearly drawn to the embodiment with the bi-stable spring and not to the elected embodiment of Figure 11;** however,

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applicant has not provided any indication as to which of the new claim are readable upon the elected species.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Spisich whose telephone number is (571) 272-1278. The examiner can normally be reached on M-Th (5:30-3:00), Alternate Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

~~Mark Spisich~~



MARK SPISICH
PRIMARY EXAMINER
GROUP 3400

1760